

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

ULTRAMAX PRODUCTS LTD., A United
Kingdom Limited Company,

Plaintiff,

vs.

ANTHONY MICHAEL MITCHELL, An
Individual Residing in Nevada,

Defendant.

Case No.: 2:18-CV-01862-RCJ-DJA

ORDER OF DISMISSAL

The Court filed the Notice Regarding Intent to Dismiss for Want of Prosecution Pursuant to Local Rule 41-1 (ECF No. 33) on February 8, 2021. Plaintiff has not responded to the Court's order within the allotted time.

In determining whether to dismiss an action for lack of prosecution, failure to obey a court order, or failure to comply with local rules, the court must consider several factors: (1) the public's interest in expeditious resolution of litigation; (2) the court's need to manage its docket; (3) the risk of prejudice to the defendants; (4) the public policy favoring disposition of cases on their merits; and (5) the availability of less drastic alternatives. *See Thompson*, 782 F.2d at 831;

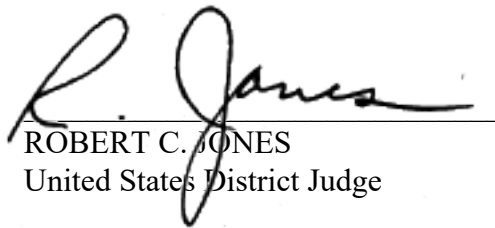
1 *Henderson*, 779 F.2d at 1423-24; *Malone*, 833 F.2d at 130; *Ferdik*, 963 F.2d at 1260-61;
2 *Ghazali*, 46 F.3d at 53. All five factors point in favor of dismissal.

3 The Court's Order (ECF No. 33) requiring the Plaintiff to take action on or before **March**
4 **8, 2021**, expressly stated: "All civil actions that have been pending in this court for more than
5 270 days without any proceeding of record having been taken may, after notice, be dismissed for
6 want to prosecution by the court *sua sponte* or on the motion of an attorney or pro se party. Be
7 advised the official record in this action reflects that this case has been pending for more than
8 270 days without any proceeding having been taken during such period. If no action is taken in
9 this case by **March 8, 2021**, the Court shall enter an order of dismissal for want of prosecution."

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12 Plaintiff has failed to show good cause why this action should not be dismissed for want
13 of prosecution pursuant to Local Rule 41-1.

14 IT THEREFORE ORDERED that this action is **DISMISSED** for Plaintiff's failure to
15 comply with the Notice Regarding Intent to Dismiss for Want of Prosecution Pursuant to Local
16 Rule 41-1 (ECF No. 33). The Clerk of the Court shall close this case.

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18 DATED: March 9, 2021.

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21 ROBERT C. JONES
22 United States District Judge
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